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FISCAL IMPACT REPORT

SPONSOR Harrison DATE TYPED 3/17/05 HB HJM 96/aSF1#1

SHORT TITLE Navajo Nation Criminal Justice Construction SB _____

ANALYST Weber

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	NFI				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Indian Affairs (DIA)

SUMMARY

Synopsis of SFI#1 Amendment

The Senate Floor #1 Amendment makes a variety of minor clarifications that do not make substantive changes.

Synopsis of Original Bill

House Joint Memorial 96 urges the U.S. Congress to provide thirty-five million seven hundred thousand dollars (\$35,700,000) for new corrections facilities at Shiprock, Crownpoint and Ramah. It further directs that the New Mexico delegation be made aware of the importance of improving correction facilities and programs on the Navajo Nation.

Significant Issues:

The Department of Indian Affairs contributed the following.

The Navajo Division of Public Safety has over 700 employees who provide services in the following areas: law enforcement, criminal investigation, corrections, highway safety, and fire and rescue. Eighty-six percent (86%) of Division funds are from external sources such as federal

funding, while fourteen percent (14%) of division funds are from Navajo Nation general funds.

According to the Navajo Nation Division of Public Safety statistics, Navajo Nation law enforcement makes over 38,000 arrests annually, nearly 1,000 of which are major crimes, yet Navajo Nation detention facilities have bed space for only 103 inmates. Navajo Nation detention facilities have consistently operated at more than sixty percent (60%) above capacity. Due to limited detention facilities, the Navajo Nation criminal justice system is forced to release less serious criminal offenders back into communities in order to create more space for serious offenders.

In 2003, Congress approved a priority list of tribal detention facilities to be funded throughout Indian Country. According to this funding priority list, Navajo Nation would be funded for one detention facility in Crownpoint (ranked 9th) and another detention facility in Shiprock (ranked 11th). However, since FY 2003, federal funds have not been appropriated to construct these new detention facilities in Navajo Nation. As a result of lack of federal funding, Navajo Nation's public safety needs remain unmet.

MW/lg:yr